

**SEC. 2. Disposition of property** The custodian is hereby authorized to deliver as much of the same as in his judgment is not suitable for permanent use in the capitol, to the board of control of the state institutions, and the custodian shall securely pack and deliver to the proper railway for shipment, as directed by said board, the property so accepted, and shall make a report to the executive council of the number of packages and place a commercial value thereon.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall take effect and be in force from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved April 12, A. D. 1904.

I hereby certify that the foregoing act was published in the Register and Leader and the Des Moines Daily capital April 13, 1904.

W. B. MARTIN,  
*Secretary of State.*

## CHAPTER 199.

### CONSTRUCTION OF SEWER THROUGH LAND OF THE STATE AT MARSHALLTOWN.

H. F. 889.

AN ACT to authorize the city of Marshalltown to construct and maintain a sewer through land of the state used by the Iowa Soldiers' Home.

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Construction of sewer authorized—conditions.** That the city of Marshalltown is hereby authorized to construct and maintain on the conditions hereinafter specified a sewer through the southeastern portion of the land of the state occupied by the Iowa Soldiers' Home from the south boundary line of said land in a northeasterly direction to a connection with the main sewer of the home. And said city shall have the right to enter upon said land for the purpose of making the necessary surveys and to dig the necessary trenches and to construct, inspect, repair and maintain said sewer on the following conditions: Before the city shall enter upon said land for any purpose except to make the necessary surveys, it shall submit to the board of control of state institutions plats, plans and specifications showing the proposed route, profile and construction of the sewer and its connection with the home sewer, and the enlargement if any proposed for the home sewer below the point of connection, and if the board of control approve in writing said plats, plans and specifications the city may proceed to construct said sewer and to reconstruct any portion of the existing home sewer with the approval of said board.

If a sewer is constructed by the city under the authority of this act, provisions shall be made to connect sewers from the residences of officers and employes on the home grounds with said sewer, and it shall be so constructed as to receive and carry off sewage from such residences; and the city shall maintain said sewer in proper condition at all times and shall at its own cost take charge of, maintain and keep in repair the existing main sewer from the home below the point where said city sewer connects with it, and shall reconstruct and enlarge said main sewer whenever it is necessary so to do in order to properly receive and dispose of the sewage which shall be delivered at the said point of connection.

If the city shall construct a sewer as aforesaid it shall enter upon the premises of the home only so far as shall be necessary to make the necessary surveys and to inspect, repair and maintain said sewer and the sewer below

the point of connection with the main sewer, doing no unnecessary injury to said premises, and in case excavations are made the city shall properly protect them while open and shall properly fill them as soon as possible and keep them filled level with the surface of the ground, and shall promptly remove all surplus earth and material and shall place said premises in as good condition as they were in before the improvements were commenced, and no earth or material shall be permitted thereon except as needed for actual use.

**SEC. 2. Time limitations.** If the city of Marshalltown elect to accept the privileges authorized by this act, it shall do so by resolution in writing, a copy of which shall be served on the board of control within six months and the sewer shall be constructed within two years, from the taking effect of this act.

**SEC. 3. In effect.** This act, being deemed of immediate importance, shall be in force and take effect from and after its publication in the Register and Leader and the Des Moines Daily Capital, newspapers published in Des Moines, Iowa.

Approved March 30, A. D. 1904.

I hereby certify that the foregoing act was published in the Des Moines Daily Capital March 31, 1904, and the Register and Leader April 1, 1904.

W. B. MARTIN,  
*Secretary of State.*

# PART IV.

## LEGALIZING ACTS.

### CHAPTER 200.

CERTAIN ACTIONS OF BOARD OF SUPERVISORS OF CLAYTON COUNTY LEGALIZED.

H. F. 885.

AN ACT to legalize certain actions of the board of supervisors of Clayton County, Iowa, relating to the purchase of land.

WHEREAS; On January 17, 1902, the board of supervisors, by resolution, agreed to buy a certain forty acre tract of land for county purposes, to-wit: for enlarging the poor farm of said county, being the following described premises, being situated in Clayton county, Iowa, to-wit: the northwest quarter ( $\frac{1}{4}$ ) of the northeast quarter ( $\frac{1}{4}$ ) section seven (7) township ninety-three (93) north, range four (4) west of the fifth P. M. and having purchased the same in good faith and made final payment thereon, January 17th, 1902, and also,

WHEREAS: On April 14, 1903, the said board of supervisors of Clayton county, Iowa, by resolution, agreed to buy a certain tract of land for county purposes to-wit: for enlarging the farm for hospital for the incurable insane of said county, being the following described premises, situated in Clayton county, Iowa, to-wit:

The southeast quarter of the southwest quarter of section fourteen (14) containing forty acres; also lot six (6) of the northeast quarter ( $\frac{1}{4}$ ) of the northwest quarter ( $\frac{1}{4}$ ) containing one and fifty-nine hundredths (1 59-100) acres, in section twenty-three (23); also lot two (2) of lot one (1) of the northeast quarter of the northwest quarter containing eleven and seven hundredths (11 7-100) acres, in section twenty-three (23) all the above described land being situated in township ninety-three (93) north, range five (5) west of the fifth P. M. and having purchased the same in good faith and made a payment thereon, April 14, 1903, and given a note for the balance, payable April 14th, 1904; and

WHEREAS: The amount so expended for said real estate is slightly in excess of that authorized by the provisions of section four hundred and twenty-three (423) of the code of Iowa as amended; and

WHEREAS: Said board of supervisors in making said purchases and paying therefor, had in view the very best interests of Clayton county, and

WHEREAS: Doubts have arisen as to their action, being in contravention of the terms of said section four hundred and twenty-three (423) of the code of Iowa as amended; now therefor,

*Be it enacted by the General Assembly of the State of Iowa:*

**SECTION 1. Purchase of land legalized.** That the action of the board of supervisors of Clayton county, Iowa, in buying and paying for said southeast quarter ( $\frac{1}{4}$ ) of the southwest quarter ( $\frac{1}{4}$ ) of section fourteen (14); lot six (6) of the northeast quarter ( $\frac{1}{4}$ ) of the northwest quarter ( $\frac{1}{4}$ ) and lot two (2) of lot one (1) of the northeast quarter ( $\frac{1}{4}$ ) of the northwest quarter